

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOHN THUESEN,

Petitioner,

v.

LORIE DAVIS, Director, Texas
Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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CAUSE NO. 4:20-cv-00852

CASE INVOLVING THE DEATH
PENALTY

ADVISORY

TO THE HONORABLE KEITH P. ELLISON, UNITED STATES DISTRICT
JUDGE:

COMES NOW the Federal Public Defender for the Western District of Texas, by and through the undersigned supervising assistant for the Capital Habeas Unit, who advises that the attorneys named below wish to make, and through the attached notices do make, their appearances as counsel for PETITIONER JOHN THUESEN. These attorneys also move this Court pursuant to Local Rule 83.1(K) to accept and grant the attached motions for leave to appear without admission to the bar of this Court or as members of the bar pro hac vice.

This is a capital habeas corpus proceeding. On February 18, 2020, this Court docketed as a Motion to Appoint Counsel, Mr. Thuesen's letter stating that he entered into an agreement with attorney Glenn A. Danas to secure Mr. Danas's representation before this Court. This Court contacted the undersigned regarding Mr. Thuesen's letter and Mr.

Danas's qualifications to provide representation. *See Lugo v. Secretary, Florida Dept. of Corrections*, 750 F.3d 1198, 1215 (11th Cir. 2014); Judicial Conference of the United States, Guide to Judicial Policy, Vol. 7, *Guidelines for Administration of the Criminal Justice Act*, Ch. 6, § 620.

The undersigned investigated and, based on that investigation, recommends this Court grant leave for Mr. Danas and his colleagues to appear on Mr. Thuesen's behalf. Mr. Danas has an excellent reputation and has experience in federal habeas corpus matters, including a capital case. Attorneys in the Capital Habeas Unit and resource counsel stand ready to advise and assist Mr. Danas and his colleagues should the need arise.

The following attorneys have agreed to represent Mr. Thuesen in this matter:

Glenn Danas—Attorney-in-charge

Robins Kaplan, LLP
2049 Century Park East
Los Angeles, California 90067

Geoffrey H. Kozen & Emily Tremblay

Robins Kaplan, LLP
800 LaSalle Avenue
Suite 2800
Minneapolis, Minnesota 55402

FOR THESE REASONS, the undersigned advises that Mr. Thuesen has counsel capable of fulfilling the duties required of counsel appointed pursuant to 18 U.S.C. § 3599(a).

DATED: April 20, 2020

Respectfully submitted,

MAUREEN FRANCO
FEDERAL PUBLIC DEFENDER

/s/ Tivon Schardl
TIVON SCHARDL
CAPITAL HABEAS UNIT CHIEF
FL Bar No. 73016
Federal Defender Office
919 Congress, Suite 950
Austin, Texas 78701
737-207-3007 (tel.)
512-499-1584 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of April 2020, I electronically filed the foregoing Advisory with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Edward Larry Marshall
Office of the Attorney General
PO Box 12548
Austin, TX 78711
512-936-1400
Fax: 512-320-8132
Email: caddocket@oag.texas.gov

/s/ *Tivon Schardl*
Tivon Schardl